

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

MANUEL C. SEDILLOS

Plaintiff,

v.

No. 1:10-CV-01063-WJ/WDS

UNITED COLLECTION BUREAU, INC.,

Defendant.

**JOINT NOTICE TO THE COURT OF NEW AUTHORITY  
RELEVANT TO PENDING SUMMARY JUDGMENT MOTIONS**

Plaintiff Manuel Sedillos and Defendant United Collection Bureau, Inc. (collectively the “Parties”) hereby notify the Court that the Tenth Circuit rendered an opinion on December 21, 2011 which, in part, concerns the term “communication” as defined by the Federal Debt Collection Practices Act, 15 U.S.C. 1692. *See Marx v. Gen. Rev. Corp.*, 2011 U.S. App. LEXIS 25284, 3-6 (10th Cir. 2011). Given the recent filing of the opinion, neither of the Parties discussed *Marx v. Gen. Rev. Corp.* within their briefs concerning their respective motions for summary judgment. The Parties do not request additional briefing regarding this new authority, but rather leave it to the Court’s discretion as to its application to the issues involved in the summary judgment briefing.

Respectfully submitted,

MODRALL, SPERLING, ROEHL, HARRIS & SISK, P.A.

By: /s/ Zachary R. Cormier

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By: /s/ Approved electronically on 1/23/2012

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